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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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CHRISTY BORANDI, and TODD  
BORANDI,,

Plaintiffs,

v.

USAA CASUALTY INSURANCE  
COMPANY,

Defendant.

MEMORANDUM DECISION AND  
ORDER DEFENDANT’S MOTION FOR  
RECONSIDERATION

Case No. 2:13-CV-141 TS

District Judge Ted Stewart

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This matter is before the Court on Defendant’s Motion for Reconsideration of its prior Memorandum Decision and Order, dated December 29, 2014 (Docket No. 59). For the reasons discussed below, the Court will deny Defendant’s Motion.

“Grounds warranting a motion to reconsider include (1) an intervening change in the controlling law, (2) new evidence previously unavailable, and (3) the need to correct clear error or prevent manifest injustice.”<sup>1</sup> “Thus, a motion for reconsideration is appropriate where the court has misapprehended the facts, a party’s position, or the controlling law. It is not appropriate to revisit issues already addressed or advance arguments that could have been raised in prior briefing.”<sup>2</sup> The Court finds that the Defendant has not met this burden.

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<sup>1</sup> *Servants of Paraclete v. Does*, 204 F.3d 1005, 1012 (10th Cir. 2000).

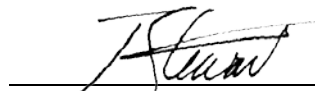
<sup>2</sup> *Id.* (internal citation omitted).

It is therefore

ORDERED that Defendant's Motion for Reconsideration (Docket No. 75) is DENIED.

DATED this 19<sup>th</sup> day of February, 2015.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Ted Stewart", is written over a horizontal line.

Ted Stewart  
United States District Judge